

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

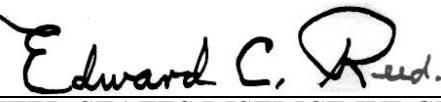
RICHARD M. FLEMING,)
Petitioner,) 3:10-cv-00362-ECR-VPC
vs.) **ORDER**
UNITED STATES OF AMERICA, *et al.*,)
Respondents.) /

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2241. Petitioner is challenging his conviction of federal criminal charges that took place in the United States District Court for the District of Nebraska, Lincoln Division, with Judge Richard G. Kofp, presiding.

If the petitioner files a petition in the wrong district, the district court may transfer the petition to the proper district pursuant to 28 U.S.C. § 1631, “if it is in the interest of justice.” *See Miller v. Hambrick*, 905 F.2d 259, 262 (9th Cir. 1990). In the instant case, the petitioner is challenging a federal conviction from the District of Nebraska. The United States District Court for the District of Nebraska has proper jurisdiction over this petition.

1 **IT IS THEREFORE ORDERED** that this action is **TRANSFERRED** to the United
2 States District Court for the District of Nebraska, Lincoln Division. The Clerk of Court shall
3 transmit this order and this entire action to the United States District Court for the District of
4 Nebraska, Lincoln Division, forthwith.

5 Dated this 9th day of November, 2010.

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UNITED STATES DISTRICT JUDGE

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